

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSH ANDERSON,)		
)		
v.)		C.A. No. 04-135 Erie
)		District Judge McLaughlin
LARRY KOPKO,)		Magistrate Judge Baxter
)		
Defendants.)		

ORDER

AND NOW, this 7TH day of November, 2005;

IT IS HEREBY ORDERED that Plaintiff's motion for temporary restraining order [Document # 31] is DISMISSED AS MOOT in light of the fact that Plaintiff has been transferred to another institution.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
CHIEF UNITED STATES MAGISTRATE JUDGE